

SEP 20 2004

# Simmons, Perrine, Albright & Ellwood, P.L.C.

## Attorneys and Counselors Cedar Rapids and Iowa City

115 Third Street SE, Suite 1200  
Cedar Rapids, Iowa 52401-1266  
Telephone: (319) 366-7641  
Fax: (319) 366-1917

22 South Linn Street  
Third Floor Tower Place  
Iowa City, IA 52240  
Telephone: (319) 887-1368  
Fax: (319) 887-1372

E-Mail Address: [rwwilliams@simmonsperrine.com](mailto:rwwilliams@simmonsperrine.com)  
Writer's Direct Dial No.: (319) 366-7641 x 222

[www.simmonsperrine.com](http://www.simmonsperrine.com)

Darrel A. Morf  
James E. Shipman  
Stephen J. Holtzman  
Iris E. Muchmore  
Gregory M. Lederer  
James A. Gerk  
Roger W. Stone  
David A. Hacker  
David W. Kubick  
Matthew J. Brandes  
James M. Peters  
Leonard T. Strand  
Mark H. Ogden  
Webb L. Wassmer  
Mark A. Roberts  
Chad M. VonKampen

Gregory C. Williams  
Nicolas Abou-Asmy  
Allison M. Heffern  
Lynn W. Hartman  
Kathleen A. Kleiman  
Paul P. Morf  
Philip A. Burian  
Michael F. Williams  
Christine L. Conover  
Elizabeth V. Croco  
Patsy A. Thimmig  
David C. Kutcher  
Jason M. Steffens  
Lorie Reins-Schwoer  
Richard G. Hileman  
Counsel

Haven Y. Simmons (1888-1975)  
Benji T. Perrine (1902-1979)  
William P. Ellwood (1909-1998)  
Justin W. Albright (1908-2004)

REGISTERED PATENT  
ATTORNEYS  
Gregory C. Williams  
Michael F. Williams

OF COUNSEL  
James R. Snyder  
Robert M. Jilek

RETIRED  
John R. Carpenter

Also licensed to practice in:  
1 Illinois 2 Wisconsin 3 Missouri

### FACSIMILE INFORMATION SHEET

DATE: September 20, 2004

TIME: 7:04pm Central Time

**CONFIDENTIALITY NOTICE:** The information contained in this facsimile message and the documents accompanying this facsimile message are attorney privileged and confidential information intended for the use of the individual or entity named below. If the reader of this message is not the intended recipient, or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone, and return the original message to us at the above address via the U.S. Postal Service. We will guarantee postage.

### THE FOLLOWING PAGES ARE FOR

NAME OF EXAMINER:

GROUP ART UNIT:

NAME OF AGENCY:

FACSIMILE (FAX) NO.

EXAMINER'S TELEPHONE NO.

Thien Minh Le  
2876

U.S. Patent and Trademark Office  
703-872-9306  
571-272-2396

TRANSMITTING PARTY:

FIRM:

Mr. Mike Williams  
Simmons, Perrine, Albright & Ellwood, P.L.C.

TOTAL NUMBER OF PAGES

(including this two page cover sheet):

38 Pages

IF PROBLEMS WITH

TRANSMITTAL CONTACT:

Mickala Anderson (319-366-7641, ext. 217)

RE:

U.S. Patent Application No. 10/663,444

(Attorney Docket No. 35740XYCD)

AMENDMENT AND RESPONSE TO OFFICE ACTION  
And INFORMATION DISCLOSURE STATEMENT

These pages are being transmitted to Examiner Thien Minh Le for filing in Application No. 10/663,444.

Thank you.

**Simmons, Perrine, Albright & Ellwood, P.L.C.**

September 20, 2004


Page 2

---

**CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 CFR 1.8**

---

I hereby certify that, on the date shown below, this Facsimile Cover Sheet, of two (2) pages, a signed Transmittal Form, of one (1) page; a Fee Transmittal form, of one (1) page, a duplicate copy of the Fee Transmittal form, of one (1) page; an Information Disclosure Statement Transmittal Letter, of two (2) pages; a Form PTO/SB/08A (Substitute for form 1449/PTO), of two (2) pages, an AMENDMENT AND RESPONSE TO OFFICE ACTION, consisting of twenty-seven (27) pages, a New Abstract, on a separate unnumbered sheet, of one (1) page; and a signed Terminal Disclaimer form, of one (1) page; are being facsimile transmitted to Examiner Thien Minh Le, Group Art Unit 2876, fax number (703) 872-9306 at the Patent and Trademark Office for filing in Application No. 10/663,444.

Date: September 20, 2004  
Michael F. Williams, Reg. No. 39,875

PTO/SB/21 (02-04)

Approved for use through 07/31/2008. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)	Application Number	10/663,444
	Filing Date	09/16/2003
	First Named Inventor	Steven E. Koenck
	Art Unit	2876
	Examiner Name	Thein Minh Le
	Attorney Docket Number	35740XYCD
Total Number of Pages in This Submission		38

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form (1 page)	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Technology Center (TC)
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment/Reply (28 pages)	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input checked="" type="checkbox"/> Terminal Disclaimer (1 page)	- Fax Cover Sheet (2 pages)
<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	- Duplicate Copy of Fee Transmittal Form (1 page)
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s)	
<input type="checkbox"/> Response to Missing Parts/Incomplete Application	Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Michael F. Williams, Reg. No. 39,875
Signature	<i>Michael F. Williams</i>
Date	September 20, 2004

CERTIFICATE OF TRANSMISSION/MAILING	
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.	
Typed or printed name	Michael F. Williams
Signature	<i>Michael F. Williams</i>
Date	Sept. 20, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the gathering, preparing, and submitting this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PTO/SB/17 (10-03)  
Approved for use through 07/31/2006. OMB 0651-0032  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE  
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 290.00

## Complete if Known

Application Number 10/663,444  
Filing Date 09/16/2003  
First Named Inventor Steven E. Koenck  
Examiner Name Thien Minh Le  
Art Unit 2876  
Attorney Docket No. 35740XYCD

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number 14-1190  
Deposit Account Name Intermed Corp.

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee	
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 180	2005 80	Provisional filing fee	

SUBTOTAL (1) (\$)

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims	-20** =	X	
Multiple Dependent	-3** =	X	

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1202 18	2202 9	Claims in excess of 20	
1201 86	2201 43	Independent claims in excess of 3	
1203 290	2203 145	Multiple dependent claim, if not paid	
1204 86	2204 43	** Reissue independent claims over original patent	
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) (\$)

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	2053 130	Non-English specification	
1812 2,520	2812 2,520	For filing a request for ex parte reexamination	
1804 920*	2804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	2805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 420	2252 210	Extension for reply within second month	
1253 950	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,510	2451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1460 130	2460 130	Petitions to the Commissioner	
1807 50	2807 50	Processing fee under 37 CFR 1.17(q)	180.00
1806 180	2806 180	Submission of Information Disclosure Stmt	
8021 40	28021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	2802 900	Request for expedited examination of a design application	110.00

Other fee (specify) Terminal Disclaimer Fee

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 290.00

(Complete if applicable)

SUBMITTED BY	Registration No. (Attorney/Agent)	Telephone
Name (Print/Type) Michael F. Williams	39,875	319-366-7641
Signature	Date	Sept. 20, 2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.